HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ. &
HON'BLE SHRI D.R. DESHMUKH, J.

M.C.C. No.823 of 2006

Applicant — State of Chhattisgarh through Collector, Surguja (CG)

Versus

Respondents

1. Lakhmania Devi, Wd/o late Nohar Pratap singh, aged about 24 years, Caste – Gond.
2. Ku. Savita, D/o late Nohar Pratap singh, aged about 4 years (minor), through natural mother and guardian respondent no.1.
3. Shambhu singh, S/o Late Nohar Pratap Singh, aged about 3 years (minor), through natural mother and guardian respondent no.1

(All resident of village Mitgai,) Police Ramanujganj, Tahsil Ramanujganj, district – Surguja (CG)

4. Anand Kumar Agrawal, S/o Haridas Agrawal, aged about 32 years, R/o Surajpur, Police station – Surajpur, Distt. Surguja (CG)
5. Dilbagh Singh, S/o Bahadur Singh, occupation – Driver, Resident of village Soor, Police Station – Sitapur, Distt. Surguja (CG).
6. The Oriental Insurance Company Ltd., Branch Office – Ambikapur, Distt. Surguja (CG).

An application for restoration of appeal dismissed in default by Hon'ble Division Bench Comprising of Hon'ble the Chief Justice and Hon'ble D.R. Deshmukh J. vide order dt.23.8.2006 in its original number as M.A. No.693/2004.

Present : Shri Sanjay S Agrawal, GA for the State/applicant.
Shri Ali Asgar, counsel for respondent No.6.

ORAL ORDER
(Passed on 1st May, 2007)

The following oral order of the Court was passed by

H.L. Dattu, CJ.

Satisfied with the explanation offered by the applicant in the application for restoration of MA No.693/2004. Therefore, prayer made in the application requires to be granted and it is granted. Our earlier order dated 23.08.2006, dismissing MA No.693/2004 for non-prosecution is recalled. The Miscellaneous Appeal is restored to its original number.

(2) Post MA No.693/2004 for hearing in its usual course.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge